

\*\*E-filed 11/1/06\*\*

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Attorneys for Plaintiff ROSEANNE MCLEAN,

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ROSEANNE MCLEAN,

Plaintiff,

v.

MATT SECK in his personal capacity; BRET  
AJAX in his personal capacity; FRANCISCO  
GONZALEZ in his personal capacity; MARK  
McCULLOUGH in his personal capacity;  
EDGAR VALDES in his personal capacity;  
DERRICK MARION in his personal capacity;  
DAVE BICKEL in his personal capacity;  
JESUS GUTIERREZ in his personal capacity;  
KATE NEWMAN in her personal capacity;  
NATASHA VASQUEZ in her personal  
capacity; JOE McCULLOUGH in his personal  
capacity; ALBA ESPINOZA in her personal  
capacity; ALLISON MARTINEZ in her  
personal capacity; KEVIN ORTEGA in his  
personal capacity; and RICK ZAMORA in his  
personal capacity, and DOES 1 through 10,  
inclusive,

Defendants.

) Case No.: C 06-04795 JF

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)  
) **EX PARTE APPLICATION SEEKING**  
) **CORRECTED SCHEDULING ORDER**

1 Plaintiff ROSEANNE MCLEAN hereby applies to the Court ex parte for an Order  
2 seeking a corrected scheduling order. The Scheduling Order previously issued by the Court  
3 applies to cases asserting denial of right of access under the Americans With Disabilities Act  
4 ("ADA") Title III (42 U.S.C., § 12181-89). The instant case does not involve any ADA claims.  
5 Instead, the instant case involves claims brought pursuant to 42 U.S.C. § 1983. Thus, the Court's  
6 Order does not seem appropriate for the instance case. For example, the current scheduling order  
7 requires a joint site inspection. Such an inspection would probably not be relevant to the instant  
8 case.

9  
10 Dated: October 19, 2006

POLARIS LAW GROUP, LLP

11  
12 By William L. Marder  
13 WILLIAM L. MARDER, Attorney for Plaintiff  
14 ROSEANNE MCLEAN

15 11/1/06 IT IS SO ORDERED.

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18 JUDGE JEREMY FOGEL, US DISTRICT COURT  
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